REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1-25 remain pending in the application. By the foregoing amendment, claims 1, 16 and 21 are amended.

In numbered paragraph 3, pages 2-11 of the final Office Action, independent claims 1, 16 and 21, along with various dependent claims, are rejected as being unpatentable over WO 01/72012 (Hanna et al.), and further in view of U.S. Patent 5,371,794 (Diffie et al.). In numbered paragraph 4, bridging pages 11 and 12, claim 13 is rejected as being unpatentable over the Hanna et al. publication and the Diffie et al. patent, and further in view of US 2002/0045442 (Silen et al.). These rejections are respectfully traversed.

Applicants have discussed of record a validation code being added to a communication by a communications device 2 (e.g., page 7, lines 5 and 6). Further, the validation code is valid only once and has a limited period of validity. The validation code can be variably generated in a suitable way, for example by means of a random number generator so that it cannot be predicted by unauthorized persons (e.g., page 7, lines 7-9). The limited period of validity and the fact that the validation code is valid only once make the system 1 more difficult to manipulate by unauthorized persons in cases in which the validation code becomes known (e.g., page 7, lines 10-14).

Independent claims 1, 16 and 21

With respect to the Hanna et al. publication, the Hanna et al. publication discloses that an external database can be configured to provide the authentication value only once as an alternative to encryption (page 10, lines 22-23). However, this

and other disclosures in the Hanna et al. publication would not have taught or suggested a method for remotely controlling and/or regulating at least one system, having among other features, information and validation code being combined in accordance with a combination rule, wherein the validation code has a limited period of validity, the validity code being variably generated to be valid only once for the dispatched communication, wherein a validity information is added to the validation code, which validity information defines the limited period of validity of the validity code, as recited Applicants' claim 1, and as variously recited in claims 16 and 21. Further, the Examiner admits on page 3 of the final Office Action that "Hanna does not teach a period of validity information which is appended to the communication."

The Diffie et al. patent does not cure the deficiencies of the Hanna et al. publication. The Diffie et al. patent discloses certificates containing, inter alia, limited periods of validity or discloses a Certificate Revocation List CRL (e.g., col. 7, lines 12-13; col. 12, lines 42-44; col. 16, lines 7-12, 25-35 and 61-64; col. 18, lines 24-35; col. 19, lines 7-10). However, the Diffie et al. patent discloses in col. 12, lines 44-52 that some freshness property of the Certificate is needed and must be tacitly assumed until a statement to the contrary is present. This teaches away from Applicants' claim 1 which is directed to validation per communication/message pair, each communication being explicitly provided with current and active validity information for the validation code in order to avoid any assumptions about freshness properties as is the concern for the Diffie et al. patent. Further, the Diffie et al. patent relates to mutual authentication between parties using signed Certificates, which signed Certificates can be circulated to be validated (e.g., col. 7, lines 29-35; col. 8, lines 24-32), but does not relate specifically to Applicants' use of a

validation code which has a limited period of validity, *the validity code being variably generated to be valid only once for the dispatched communication*, as variously recited in claims 1, 16 and 21.

At least for these reasons, Applicants respectfully submit that the Diffie et al. patent, when considered individually or in the combination with the Hanna et al. publication as the Examiner has suggested, would not have taught or suggested a method for remotely controlling and/or regulating at least one system, having among other features, information and validation code being combined in accordance with a combination rule, wherein the validation code has a limited period of validity, the validity code being variably generated to be valid only once for the dispatched communication, wherein a validity information is added to the validation code, which validity information defines the limited period of validity of the validity code, as recited in claim 1, and as variously recited in claims 16 and 21.

Claim 4

On page 4 of the final Office Action, regarding claim 4, the Examiner asserts that the Diffie et al. patent discloses a randomly chosen number as a challenge value. Applicants respectfully disagree with the Examiner's ultimate conclusion. The challenge value CH1 as disclosed in the Diffie et al. patent is used for the purpose of computing the message signature (col. 8, lines 1-5) and for signature verification (col. 8, lines 30-32; col. 16, line 65 through col. 17, line 2), which serves to authenticate the parties involved in a communication. However, as encompassed by Applicants' claim 4, it is the validation code that is generated by a random number generator. Such a validation code is message-specific, but not party-specific as in the instance of the Diffie et al. patent. Applicants' information and the validation

code are combined in such a way that they allows a check of the message containing instruction information as to whether it is a valid response from a receiver of the previously sent communication, which contained status information about the system. Accordingly, the Diffie et al. patent teaches a mutual authentication with respect to the parties that are involved, whereas Applicants' claimed validation code relates to system-related communications and instruction messages based on the use of a validation code which has a limited period of validity, the validity code being variably generated by a random number generator *to be valid only once for the dispatched communication.*

Other Secondary Reference

The Silen et al. publication does not cure the deficiencies of the Hanna et al. publication and the Diffie et al. patent. Rather, the Silen et al. publication, which discloses SMS messages, was applied by the Examiner in combination with the Hanna et al. publication and the Diffie et al. patent to reject dependent claim 13.

Conclusion

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the application is in condition for allowance and a Notice of Allowance is respectfully solicited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: February 10, 2009 By: _____

Richard J. Kim, Reg. No. 48360
/for/ Patrick C. Keane, Reg. No. 32858

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620